

February 26, 2019

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

RE: EB Docket No. 06-36
Annual CPNI Certification

Dear Ms. Dortch:

On behalf of our client, Harlan Municipal Utilities, 499 Filer ID 820688, attached is the annual CPNI certification filing covering the year of 2018, pursuant to 47 C.F.R § 64.2009(e).

Sincerely,



Judy Christiansen
Consultant

cc: Harlan Municipal Utilities

Attachment

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2019 covering the prior calendar year 2018

1. Date filed: February 26, 2019
2. Name of company(s) covered by this certification: Harlan Municipal Utilities
3. Form 499 Filer ID: 820688
4. Name of signatory: Ken Weber
5. Title of signatory: CEO
6. Certification:

I, Ken Weber, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

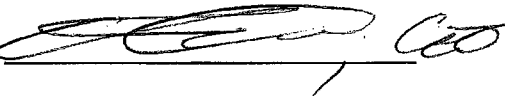
Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, safeguards, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed



Attachments: Accompanying Statement explaining CPNI procedures

Feb 2019

OPERATING PROCEDURES FOR COMPLIANCE WITH CPNI RULES

Harlan Municipal Utilities has implemented the following procedures to ensure that it is compliant with Part 64 of Title 47 of the Code of Federal Regulations, Subpart U – Customer Proprietary Network Information (CPNI), § 64.2001 through § 64.2011.

Compliance Officer

The Company has appointed a CPNI Compliance Officer. The Compliance Officer is responsible for ensuring that the Company follows all of the CPNI rules. The Compliance Officer is also the point of contact for anyone, internally or externally, with questions about CPNI.

Employee Training:

The Compliance Officer arranges for the training of all employees on an annual basis, and more frequently as needed. Any new employee is trained when hired by the Company. The training includes, but is not limited to, when employees are and are not authorized to use CPNI, and the authentication methods the company is using. The detail of the training can differ based on whether the employee has access to CPNI.

After the training, all employees are required to sign a certification that they have received training on the CPNI rules, that they understand the Company's procedures for protecting CPNI and they understand the Company's disciplinary process for improper use of CPNI. The employees have each been issued a copy of the CPNI manual with the rules.

Employees are instructed that if they ever have any questions regarding the use of CPNI, or if they are aware of CPNI being used improperly by anyone, they should contact the Compliance Officer immediately.

Disciplinary Process

The Company has established a specific disciplinary process for improper use of CPNI. The disciplinary action is based on the type and severity of the violation and could include any or a combination of the following: retraining the employee on CPNI rules, notation in the employee's personnel file, formal written reprimand, suspension or termination.

The disciplinary process is reviewed with all employees.

A copy of the Company's disciplinary process is kept in the CPNI manual.



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Customer Notification and Request for Approval to Use CPNI

Harlan Municipal Utilities provided initial notification to its customers January 2007. It may share the customer's CPNI with a joint venture partner or third party, provided that these parties are also compliant with CPNI procedures and policies. For marketing purposes, the Company does mass marketing to all customers, or uses CPNI to market only service offerings among the categories of service to which the customer already subscribes.

If the Company receives a call from a customer who wants to discuss services outside of the customer's existing service offerings, the customer service representative uses the oral notification for one-time use of CPNI to obtain approval for the duration of the call only.

The Company has provided notification to its customers of their CPNI rights and has asked for the customer's approval to use CPNI via the opt-out method. A copy of the notification is also provided to all new customers that sign up for service.

For the customers that have opted-out and said the Company cannot use their CPNI, that decision will remain valid until the customer changes it.

The company sends the opt-out notice at least every two years to those customers that have not previously opted out.

The Company will provide written notice within five business days to the FCC of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

A copy of the most recent notification is kept in the CPNI official files.

Marketing Campaigns

If the Company uses CPNI for any marketing campaign, the Compliance Officer will review the campaign and all materials to ensure that it follows the CPNI rules.

The Company has a process for maintaining a record of any marketing campaign of its own, or its affiliates, which uses customers' CPNI.

Authentication

The Company does not disclose any CPNI until the customer has been appropriately authenticated as follows:

In-office visit the customer must provide a valid photo ID matching the customer's account information or provide the correct password.

Customer-initiated call the customer must provide his/her pre-established password and must be listed as a contact on the account. If the customer cannot provide the password or the answer to the back-up authentication, the customer is re-authenticated, without using readily available biographical information or account information, and a new password is established.

- If the customer wants to discuss call detail information that requires a password, the following guidelines are followed: If the customer can provide all of the call detail information (telephone number called, when it was called, and the amount of the call) necessary to address the customer's issue, the Company will continue with its routine customer care procedures.
- If the customer cannot provide all of the call detail information to address the customer's issue, the Company will: (1) call the customer back at the telephone number of record, (2) send the information to the address of record, or (3) ask the customer to come into the office and provide a valid photo ID.

Notification of Account Changes

The Company promptly notifies customers whenever a change is made to any of the following:

- Password.
- Customer response to a back-up means of authentication for a password.
- Address of record.

The notification to the customer will be made either by a Company-originated voicemail or text message to the telephone number of record or sent to the address (postal or electronic) of record.

The Company has a process for tracking when a notification is required and for recording when and how the notification is made. The software program generates the notification letter.

Notification of Breaches

Employees will immediately notify the Compliance Officer of any indication of a breach. If it is determined that a breach has occurred, the Compliance Officer will do the following:



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- Notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) as soon as practicable, but in no event later than 7 business days after determination of the breach. The notification will be via the FCC link at <http://www.fcc.gov/eb/cpni>.
- Notify customers only after 7 full business days have passed since notification to the USSS and the FBI, unless the USSS or FBI has requested an extension.
- If there is an urgent need to notify affected customers or the public sooner to avoid immediate and irreparable harm, it will be done only after consultation with the relevant investigating agency.
- Maintain a record of the breach, the notifications made to the USSS and FBI, and the notifications made to customers. The record should include dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach.
- Include a summary of the breach in the annual compliance certificate filed with the FCC.

Annual Certification

The Compliance Officer will file a Compliance Certification with the FCC by March 1 of each year, for data pertaining to the previous calendar year.

Record Retention

The Company retains all information regarding CPNI in a CPNI file located in the Compliance Officer's office. Following is the minimum retention period we have established for specific items:

- CPNI notification and records of approval – two years
- Marketing campaigns – two years
- Breaches – two years
- Annual certification – five years
- Employee training certification – two years
- All other information – two years